

MARY CUMMINS
Debtor, Defendant, In Pro Per
645 W. 9th St. #110-140
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UNITED STATES BANKRUPTCY COURT FOR THE
CENTRAL DISTRICT OF CALIFORNIA

In re:

MARY CUMMINS-COBB,

Debtor

) Case No. 2:17-bk-24993-RK
) Chapter 7
) Adv. Proc. No. 2:18-ap-01066-RK
) BAP No.: CC-20-1033
) 2:20-cv-02149-AB

KONSTANTIN KHIONIDI, as Trustee
Of the COBBS TRUST,

Plaintiff,
vs.

) DEFENDANT'S EX PARTE MOTION
) TO STAY BANKRUPTCY, APPEAL
) OF ADVERSE PROCEEDING,
) REPLY TO AP JUDGMENT

MARY CUMMINS-COBB

Defendant.

) Judge: Honorable Robert N. Kwan
) Courtroom: 1675
) Edward R. Roybal Federal Building
) 255 E. Temple St, Suite 1682
) Los Angeles, CA 90012

Defendant requests that the Court stay the proceedings related to the judgment on the Adversary Proceeding, the Appeal of that judgement and the bankruptcy case. The purpose of the stay is so Defendant can reply to the proposed judgment, request a trial date to hear Defendant's remaining claims and/or appeal the judgment of the adverse proceeding. Because of the world wide Corvid 19 pandemic Defendant can't file a reply because of a missing court order, the appeal package, inability to get pro se legal help, inability to currently file in the district court and other related reasons stated in

1 Defendant's emergency motion. Defendant requests a 30 day stay with optional
2 additional 30 day stay if the Court deems that the world wide pandemic still affects
3 Defendant's ability to physically, technically partake in the legal process.

4 Defendant has new evidence of unclean hands, fraud and contested matters some of
5 which were raised in Defendant's original reply to Plaintiff's Adversary complaint.
6 Defendant will be requesting that the Court set a trial date to hear Defendant's
7 remaining claims. Evidence of Defendant's inability to file legal documents is in the
8 shortened notice emergency filing. Some though not all of the new evidence of unclean
9 hands, fraud, contested matters is as follows.

10 Plaintiff Amanda Lollar in person at the debtor hearing stated to Defendant that the
11 Russian Plaintiff is not a real person but an alter ego of Plaintiff Amanda Lollar.
12 Plaintiff did the same in an email pretending to be the Russian person. Plaintiff has lied
13 to the Court stating that the Russian Plaintiff is a real person when they are not. A non-
14 existent person cannot be a Plaintiff in a lawsuit. The purpose was so Defendant could
15 not do any discovery. Defendant requested the Russian person ID in discovery to prove
16 they did not exist and the Court did not allow it. Plaintiff then told the Court that the
17 Russian would sign a notarized agreement giving the Judgment back to Plaintiff
18 Amanda Lollar but Plaintiff was never able to do this as Plaintiff does not exist.
19 Defendant cannot have a fair trial without discovery.

20
21 The \$10,000,000 Texas judgment was obtained through fraud. Long retired visiting
22 Judge William Brigham did not sign and file an oath of office after being assigned the
23 case per law. Judge Brigham had no jurisdiction to sign the judgement. Before the trial
24 Plaintiff's Texas attorney stated to Defendant in Court "I've known this Judge for
25 years. He'll sign anything I put in front of him." Judge Brigham signed the orders
26 without even reading them. Judge Brigham died after the trial.

27 Defendant never defamed Plaintiff. Plaintiff never submitted any evidence of
28 defamation before or during the original Texas trial. Even after the trial the take down

order in the form of the judgment included things written and posted by Plaintiff, Plaintiff's veterinarian, Government agencies, known people other than Defendant and others. Plaintiff never showed even one element of defamation in the trial court let alone defamation with malice.

Immediately after the Appeal Opinion was released in the underlying Texas case 352-248169-10 Plaintiff Amanda Lollar filed an exact copy/paste of the original complaint to a Texas Court 2015-00259-3. Because the Defamation Mitigation Act had recently passed because the Courts were bogged down with defamation cases a defamation Plaintiff must first send a cease and desist letter to the Defendant including all items which Plaintiff believes is defamatory. Plaintiff must also send proof that the items are defamatory. Because Defendant has NEVER defamed Plaintiff, Plaintiff Lollar filed forged exhibits defaming herself. Plaintiff Lollar also submitted a perjured declaration, affidavit stating the exhibits were true and correct copies of the originals which are still online. The online articles and comments do not include the comments in the printed exhibits. They exist online to this day. Defendant didn't write, post any of the articles or comments. Plaintiff used this case to remove truthful items Plaintiff just didn't like written by people other than Defendant.

All of those forged comments were just barely within the statute of limitations for defamation in Texas. For this reason Defendant believes that Plaintiff's Texas attorney instructed Plaintiff to include forged exhibits all within the statute of limitations for defamation. Plaintiff, Plaintiff's Texas attorney never denied they forged the exhibits and submitted perjured testimony in their legal replies. In the Appeal of that case the Appeals Court even stated that the exhibits were forged and Plaintiff submitted perjured testimony. The Appeals Court stated Defendant should dismiss the case in the County Court for those reasons.

The second identical defamation case was just dismissed for those reasons. Defendant demanded a hearing to dismiss the case because of the forged exhibits and

1 perjured testimony. The court coordinator stated they would dismiss the case instead of
2 setting the hearing. That case was just dismissed, i.e. "Notice of Order Signed,
3 02/25/2020 electronically served to Party's attorney and/or mailed to all pro-se parties
4 Doc ID# 116."

5 Because of the corona virus Defendant cannot go to Defendant's p.o. box to get
6 court documents. Defendant has not received any documents related to the appeal of
7 the Court's order. Even though Defendant has requested to get email notification of
8 filings and be able to file in the ecf system Defendant has been denied to this day.
9 Thankfully the Court is now allowing Defendant to email the documents to be filed to
10 the Court who will then file them on behalf of Defendant. Defendant has still not
11 received court documents which were mailed to Defendant's p.o. box. Defendant will
12 need these documents to file Defendant's objection to the Courts signed judgment
13 when it is signed. Defendant has not been able to reply to Plaintiff's proposed
14 judgment or Plaintiff's request for the appeal to be heard in the District Court.
15 Defendant opposes the adversary proceeding judgment to be appealed in the District
16 Court.

17
18 Not only has Defendant been unable to obtain court records from Defendant's p.o.
19 box but Mayor Eric Garcetti just stated that government buildings will be closed to
20 non-employees. No more than 50 people may be in a government building at a time.
21 Defendant is unable to get to the bankruptcy clinic to get legal advice.

22 Defendant requests a 30 day stay of all proceedings so Defendant will be able to
23 obtain court records and visit the bankruptcy clinic when it reopens.

24 Defendant met and conferred with Plaintiff's attorney Philip Stillman about this
25 stay. Philip Stillman objected to the stay.

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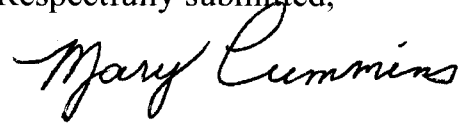
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CONCLUSION

For the foregoing reasons, Defendant requests that this Court grant Defendant's Motion to Stay the Adversary Proceeding, Appeal of the Adversary Proceeding and Bankruptcy case.

Respectfully submitted,



Mary Cummins, Defendant

Dated: March 17, 2020

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DECLARATION OF DEFENDANT MARY CUMMINS

I, MARY CUMMINS, declare as follows:

1. I am Mary Cummins Defendant in pro per. I make this declaration on my personal knowledge of the facts set forth herein.
2. Everything in DEFENDANT’S MOTION was written by me and is the truth to the best of my knowledge.
3. All exhibits cited, footnoted, attached are true and correct copies of the originals.

I, declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on March 17, 2020 at Los Angeles, California.

By: 

MARY CUMMINS

PROOF OF SERVICE
(FRCivP 5 (b)) or
(CCP 1013a, 2015.5) or
(FRAP 25 (d))

I am Plaintiff in pro per whose address is 645 W. 9th St. #110-140, Los Angeles, California 90015-1640. I am over the age of eighteen years.

I further declare that on the date hereof I served a copy of:

MOTION

on the following interested parties by email to the following at .

| |
|---|
| Philip H. Stillman Stillman & Associates pstillman@stillmanassociates.com |
|---|

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

Executed this day, March 17, 2020, at Los Angeles, California.

Respectfully submitted,



Mary Cummins, Defendan
645 W. 9th St. #110-140
Los Angeles, CA 90015